

16.06.2025
Sl. No.4
akd

IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI

W. P. A. 984 of 2025

[Mantaj Ali -Vs- The State of West Bengal & Ors.]

Mr. Subinay Dey
Mr. Debarjan Das
... .. for the petitioner

Mr. Amales Ray .. Sr. Advocate
Mr. Nigam Mittal
Ms. Prerna Mitra
... for respondent nos.3 & 4

Mr. Pretom Das
Mr. Sandip Guha Ray
... .. for the State

1. Affidavit-of-service filed in court today is taken on record.
2. The petitioner has preferred the present writ petition challenging the inaction on the part of the respondent no.4 in not issuing the work completion certificate and in not releasing the outstanding dues of Rs. 10,00,733/- including earnest money, security deposit and pending bills for the construction work pursuant to the work order dated 15.02.2023 being Memo No.315/PUN.
3. It is the case of the petitioner that he is a Government Contractor and General Order Suppliers. The Pradhan of Pundibari Gram Panchayat published a notice Inviting Tender Memo No. 184(5)/2022. Thereafter, on 15.02.2023 by a Memo No. 315/PUN an Acceptance-cum-Work-Order was issued in favour of the petitioner for construction of various concrete drains as mentioned in the work order dated 15.02.2023. The petitioner has completed the said work as

per the terms and conditions with full satisfaction of the department. Despite successful completion of the said work, the petitioner has neither been issued the work completion certificate nor has part payment been released to him. The petitioner has submitted a representation dated 07.04.2025, but the same has not yet been considered by the competent authority.

4. Learned Senior Advocate for the respondent no.4 refutes the submission of the petitioner to the extent that the said work has not been completed to their satisfaction. However, respondent no.4 is ready and willing to consider the petitioner's representation dated 07.04.2025.

5. In view of the submission made by the learned senior Advocate for the respondent no.4, learned counsel for the petitioner submits that his client shall be satisfied if the representation dated 07.04.2025 is decided in a time bound manner by the competent authority.

6. Accordingly, this Court directs the Pradhan, Pundibari Gram Panchayat (respondent no.4) to consider the representation of the petitioner dated 07.04.2025 and pass a speaking order within a period of four weeks from the date of communication of this order after affording an opportunity of personal hearing to the petitioner.

7. With the aforesaid directions, the present writ petition is disposed of.

8. There shall be no order as to costs.

9. Since no affidavits have been filed by the respondents, the allegations made in the writ petition shall not be deemed to have been admitted.

10. Let urgent Photostat certified copy of this order, if applied for, be supplied to the parties on usual undertaking.

(Gaurang Kanth, J.)